

REMARKS/ARGUMENTS

Claims 1-15 are present in this application. By this Amendment, the specification and claims 1 and 11 have been amended. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

At the outset, Applicants acknowledge the election of Group II, claims 11-15, drawn to an apparatus for measuring temperature in stationary components of electrical machines, with traverse. Applicants respectfully submit that the subject matter of all claims 1-15 is sufficiently related that a thorough search of the subject matter of any one group of claims would necessarily encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "[i]f the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits even though it includes claims to distinct or independent inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Claim 11 was rejected under 35 U.S.C. §102(b) over U.S. Patent Application Publication No. 2002/0196994 to Bosselmann et al. This rejection is respectfully traversed.

The Office Action contends that Bosselmann discloses notches in the ribbon “to accommodate bends in a stationary component,” referring to paragraphs [0019] and [0055]. A closer reading of the Bosselmann publication, however, reveals that the “groove or notch” referenced in the Bosselmann publication in fact does not in fact accommodate bends in a stationary component; rather, the “groove or notch” referenced in the Bosselmann publication runs in the longitudinal direction and receives the optical sensor.

Paragraph [0019] provides that “[i]n the first-mentioned case, the protective strip has, on one surface, an opening, for example, in the form of a groove or notch running in the longitudinal direction and into which the optical sensor and that part of the optical waveguide that is close to the sensor can easily be inserted.” Similarly, in paragraph [0055], Bosselmann provides that “[t]he optical waveguide 30 is inserted into a non-illustrated notch, in one of the two protective strip halves 441 and 442.”

In contrast, the notches defined according to the claimed invention, with reference to FIGS. 1-4, enable the ribbon to accommodate bends in the stationary component. In an effort to clarify this distinction, claim 11 has been amended to recite that the notches are formed in the ribbon in a width direction Support for this amendment can be found in, for example, FIGS. 1-4. Claim 1 has been similarly amended.

Since this structure is lacking in the Bosselmann publication, Applicants respectfully submit that the rejection is misplaced. Withdrawal of the rejection is respectfully requested.

Claims 12-14 were rejected under 35 U.S.C. §103 over Bosselmann in view of U.S. Patent No. 6,079,875 to Klass. The Klass patent, however, does not correct the deficiencies noted above with regard to Bosselmann. That is, neither Bosselmann nor Klass provides any suggestion to modify the Bosselmann reference to incorporate notches formed in the ribbon in a width direction that accommodate bends in the stationary component. As a consequence, Applicants respectfully submit that dependent claims 12-14 are allowable at least by virtue of their dependency on an allowable independent claim. Withdrawal of the rejection is respectfully requested.

Claim 15 was rejected under 35 U.S.C. §103(a) over Bosselmann. Without conceding the contentions in the Office Action, Applicants submit that claim 15 is also allowable at least by virtue of its dependency on an allowable independent claim. Withdrawal of the rejection is respectfully requested.

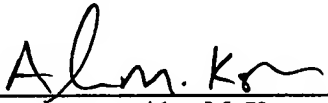
In view of the foregoing amendments and remarks, Applicants respectfully submit that the claims are patentable over the art of record and that the application is in condition for allowance. Should the Examiner believe that anything further is desirable in order to place the application in condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Prompt passage to issuance is earnestly solicited.

KAMINSKI et al.
Appl. No. 10/620,624
June 22, 2004

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 

Alan M. Kagen
Reg. No. 36,178

AMK:jls
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100